IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7754 of 2005

Between:

K.Parvateesam, S/o. Late Sri. K.Krishna Rao,
R/o. Flat.No.501, Bhardwaj Residence,
Seethapuram Colony, Visakhapatnam - A.P.

..... PETITIONER

AND

1 The Chairman / Managing Director, FCI, 16-20 Barakamba Lane, New Delhi.
2 The Zonal Manager(South), FCI, Zonal Office, 3 Haddows, Chennai.
3 The Senior Regional Manger, FCI, Haka Bhavan, 3 rd Floor, Hyderabad-4.
4 Joint Manager (Operations) FCI, Visakhapatnam.
5 The District Manager, FCI, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not counting the total length service of the petitioner for the purpose of seniority and payment of gratuity from the date of deputation to till the date of retirement ie., 22.06.1973 to 30.06.2004 as illegal, arbitrary, unconstitutional and contrary to the FCI Staff Regulations and Govt. of India instructions and consequentially praying this Hon'ble Court to direct the respondents to count the service of the petitioner from 22.06.1973 to 30.06.2004 for the purpose of seniority and payment of gratuity and direct to pay all consequential benefits.

Counsel for the Petitioner:MR.C.V.BHASKAR REDDY

Counsel for the Respondent Nos.1 to 5: MR.B.ANJANEYALU

The Court at the admission stage made the following O R D E R:

This writ petition is filed to declare the action of the respondents in not counting the total length of service of the petitioner for the purpose of seniority and payment of gratuity from the date of deputation till the date of retirement i.e., 22.06.1973 to 30.06.2004 as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

The first respondent has to take appropriate decision as to whether the services rendered by the petitioner in the parent department can be counted as continuity of service for the purpose of deciding seniority and payment of gratuity.

Without entering into the merits of the case, the writ petition is disposed of directing the first respondent to dispose of the representations dated 01.07.2000 and 09.09.2004 within a period of four months from the date of receipt of a copy of this order. No order as to costs.

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(K.C.BHANU,J)

Dt:11th April, 2005

Usd

To

1 The Chairman / Managing Director, FCI, 16-20 Barakamba Lane, New Delhi.
2 The Zonal Manager(South), FCI, Zonal Office, 3 Haddows, Chennai.
3 The Senior Regional Manger, FCI, Haka Bhavan, 3 rd Floor, Hyderabad-4.
4 Joint Manager (Operations) FCI, Visakhapatnam.
5 The District Manager, FCI, Visakhapatnam.

6 2 CD copies

7 1 CC to MR.ANJANEYULU

8 1 CC to MR.BHASKAR REDDY

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